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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/660,709	09/13/2000	Anthony C. Spearman	029560.00002	7002

7590 10/22/2002

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EXAMINER

NGUYEN, TOAN D

ART UNIT

PAPER NUMBER

2665

DATE MAILED: 10/22/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/660,709

Applicant(s)

SPEARMAN ET AL.

Examiner

Toan D Nguyen

Art Unit

2665

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 24 July 2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-13 and 15-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11 and 21 is/are allowed.
- 6) ☒ Claim(s) 1-10, 12-16, 19 and 22-29 is/are rejected.
- 7) ☒ Claim(s) 17, 18 and 20 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 1-10, 12-16, 19 and 22-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Richman et al. (U.S. Patent 5,655,148) in view of Lee (U.S. Patent 6,003,100).

For claims 1-8, 10, 12-16, 19 and 22-29, Richman et al. disclose method for automatically configuring devices including a network adapter without manual intervention and without prior configuration information, comprising:

a chassis (col. 26 lines 4-7);

at least one network card (figure 7A, col. 28 line 48-49);

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a packet-switched interface capable of receiving a multiplicity of inbound frame packet-data to provide inbound packets and transmitting a multiplicity of outbound frame packet-data comprising outbound packets (figure 14, col. 45 lines 43-45);

an authenticator in operative communication with the operating system to allow authentication at the wireless provisioning device; whereby the user of a mobile computing device connects to the wireless provisioning device without having to access the internet (col. 23 lines 1-12).

However, Richman et al. do not disclose at least one wireless card; at least one processor; an operating system, the operating system operably configured in the chassis to control the at least one network card, the at least one wireless card and the at least one processor, which are operatively coupled with the chassis; a channeling controller, coupled to the packet-switched interface that channels the inbound packets based on the inbound address information and that constructs the outbound packets and channels the outbound packets with the outbound address information, the channeling controller capable of being effectively connected to at least one network via the operating system.

In an analogous art, Lee discloses at least one wireless card (col. 10 lines 12-13); an operating system, the operating system operably configured in the chassis to control the at least one network card, the at least one wireless card and the at least one processor, which are operatively coupled with the chassis (col. 3 lines 39-40); the channeling controller capable of being effectively connected to at least one network via the operating system (figure 4A-C, col. 8 lines 31-33). One skilled in the art would have recognized a user-removable CPU card to use the teaching of Lee in the system of Richman et al. Therefore, it would have been obvious to one of

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ordinary skill in the art at the time invention, to use the user-removable CPU card as taught by Lee in Richman et al.'s system with the motivation being to provide high degree of configurability, high performance capability and low cost (col. 4 lines 31-33).

For claim 9, Lee discloses a memory device and a storage device (figure 4A, col. 8 lines 32-33).

### **Objection To Claims, Allowable Subject Matter**

3. Claims 17-18 and 20 are objected to as being dependent upon a rejected base claims, but would be allowable if rewritten in independent form including all of the limitations of the base claims and any intervening claims.

4. Claims 11 and 21 are allowed.

### ***Reasons For Allowance***

5. The following is an examiner's statement of reasons for allowance:

Regarding to claim 11, the prior art fails to teach a combination of the steps of:

at least one wireless provisioning device for receiving, authenticating, transmitting, and directing data over a plurality of networks and capable of sustaining connectivity between the wireless access points and the wireless provisioning device, the wireless provisioning device comprising a chassis, at least one network card, at least one wireless card, at least one processor, and at least one operating system operably configured in the chassis and associated with at least one of the plurality of wireless access points for transmitting and receiving data between the wireless access point and a carrier structure and where the wireless provisioning device is capable of accommodating multiple connections back to the wireless access point without requiring rebooting before a new roaming member can be added to the system, the wireless

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provisioning device further comprises a directory services member operatively connected to the operating system thereof, which is suitable for maintaining a database directory that stores MAC addresses and billing profiles for those in the system, in the specific combination as recited in claim 11.

Regarding to claim 21, the prior art fails to teach a combination of the steps of:  
a 2.4 GHz antenna operatively coupled with the wireless provisioning device, in the specific combination as recited in claim 21.

***Response To Arguments***

6. Applicant's arguments filed July 24, 2002 have been fully considered, but are moot in view of new ground(s) of rejection.

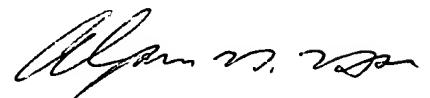
***Contact Information***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Toan D Nguyen whose telephone number is 703-305-0140. The examiner can normally be reached on Monday- Friday (7:00AM-4:30PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on 703-308-6602. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-9600.

T.N.



ALPUS H. HSU  
PRIMARY EXAMINER